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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/818,158	03/14/97	ANDREWS	R0996-141

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EXAMINER

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ART UNIT	PAPER NUMBER
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2756

DATE MAILED: 09/27/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/818,158

Applicant(s)

Andrews et al

Examiner

Thong Vu

Group Art Unit

2756

☒ Responsive to communication(s) filed on Jul 6, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 38-74 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 38-74 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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1. This office action is in response to Appeal Brief filed July 06, 2000, Applicant arguments were formed to be persuasive. The previous final rejection has been vacated. Claims 38-74 are pending. Claims 1-37 are canceled. The rejections cited are as stated below.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 38,50,61,62 are rejected under 35 U.S.C. § 102 [b] as being unpatentable over Gosling [5,630,066]

3. As per claim 38, Gosling discloses a apparatus, at least one processor, a memory, a computer program residing in the memory or an off line browser program, said computer program commencing to download a file referencing a plurality of components; said computer program dynamically prompting a user to select which of said plurality of components to download [Gosling col 2 line 35-55].

4. As per claims 50,61 and 62, contain the same limitations that were addressed in rejecting claim 38.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

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6. Claims 39-49,51-60,63-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gosling [5,630,066] in view of Sotomayor [5,708,825].
7. As per claim 39, Gosling did not detail the computer program as a Web browser application . However Sotomayor taught a method for diving the document into the segments into summary pages, embeds hyperlinks from these summary pages and user can select the specific portion or icon from browser [Sotomayor col 4 line 10-45, col 5 line 30-col 6 line 30]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the web browser and HTML document as taught Sotomayor into Gosling system in order to utilize the method viewing the summary document before downloading the whole document on Internet.
8. As per claim 40, Gosling-Sotomayor taught said file as HTML document [Sotomayor col 4 line 10-45, col 5 line 30-col 6 line 30].
9. As per claim 41, Gosling-Sotomayor taught the component download selection mechanism, said component download selection mechanism dynamically creating a component download selection list when said file with said plurality of components is download as an inherent feature of download list [Gosling col 2 line 35-55]
10. - As per claim 42, Gosling-Sotomayor taught computer program comprises a web browser and wherein said component download selection list is formed in a second pane of said web browser and displayed with said file [Sotomayor col 4 line 22-47]
11. As per claim 43, Gosling-Sotomayor taught the component download selection list is formed in a dialog box or menu button [Sotomayor col 23 line 1-50]

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12. As per claim 44-47, Gosling-Sotomayor taught the component download list is inserted into said file and displayed; file name; type of components; size of each components as the inherent features of the download list [Gosling col 2 line 35-55]

13. As per claim 48, Gosling-Sotomayor taught component download selection list includes a status item, said status item dynamically displaying the amount of each of said plurality of page components that has been downloaded as the inherent features of Web sites content [Sotomayor col 4 line 10-45, col 5 line 30-col 6 line 30].

14. As per claim 49, Gosling-Sotomayor taught status item includes the percentage of a page component downloaded [Sotomayor col 4 line 10-45, col 5 line 30-col 6 line 30].

15. Claims 51-60 contain the same limitations that were addressed in rejecting claims 38-49 above. By the same rationale applied above, claims 50-60 are rejected.

16. As per claim 63, Gosling-Sotomayor taught a recordable media or video cassette recorder [Sotomayor col 5 line 53-65].

17. As per claim 64, Gosling-Sotomayor taught a transmission media [Sotomayor col 5 line 53-65].

18. Claims 65-72 contain the same limitations that were addressed in rejecting claims 39-48 above. By the same rationale applied above, claims 65-72 are rejected.

19. Claims 73,74 contain the same limitations that were addressed in rejecting claims 38 and 39 above. By the same rationale applied above, claims 73,74 are rejected.

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20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643.

The examiner can normally be reached on Monday-Thursday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Mark Rinehart*, can be reached at (703) 305-4815.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to :

Commissioner of Patent and Trademarks

Washington , D.C. 20231

or faxed to :

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-7201 (for informal or draft communications, please label

"PROPOSAL" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Thong Vu

Sep 13, 2000


MARK RINEHART
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700